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6 *Attorneys for Defendants*
7 *MGM Resorts International and*
8 *Victoria Partners dba Park MGM*

9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 CHESTER L. ATHEY,
12
13 Plaintiff,

14 vs.

15 MGM RESORTS INTERNATIONAL, a
Foreign Corporation; MGM RESORTS
16 INTERNATIONAL, as GENERAL
PARTNER OF VICTORIA PARTNERS;
17 ROE Business Organizations I-X; and DOE
INDIVIDUALS I-X, Inclusive,
18 Defendants.

Case No. 2:19-cv-01953-KJD-VCF

**STIPULATION FOR PLAINTIFF TO
FILE A SECOND AMENDED
COMPLAINT AND FOR
DEFENDANTS TO RESPOND TO
PLAINTIFFS' SECOND AMENDED
COMPLAINT**

First Request

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20 IT IS HEREBY STIPULATED by and between Plaintiff Chester Athey ("Plaintiff"),
21 through his counsel Kemp & Kemp, and Defendants MGM Resorts International and Victoria
22 Partners dba Park MGM ("Defendants"), through their counsel Jackson Lewis P.C., that
23 Plaintiff shall have up to and including Friday, December 27, 2019, to file a Second Amended
24 Complaint; and Defendants shall have up to and including Friday, January 3, 2020, in which to
25 file a response to Plaintiff's Second Amended Complaint. This Stipulation is submitted and
26 based upon the following:
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1 1. Defendants' response to the First Amended Complaint is currently due on
2 December 18, 2019, and previously the Parties stipulated to two extensions. During the prior
3 two extensions, Plaintiff's Counsel and Defendants' Counsel have worked cooperatively to
4 identify the correct entities involved in Plaintiff's termination of employment from a Las Vegas
5 Strip property formerly known as Monte Carlo Las Vegas Resort and Casino, which is currently
6 operated by Victoria Partners dba Park MGM.

7 2. Counsels have determined Victoria Partners dba Park MGM is a general
8 partnership and the general partners are MGM Resorts International, Inc. and Mandalay Resort
9 Group.

10 3. The Parties agree the most expeditious way to proceed is for Plaintiff to file a
11 Second Amended Complaint naming the entities as discussed between Counsel and for which
12 Defense Counsel will accept service; and for the named Defendants thereafter to respond. This
13 will avoid the need for motion practice, any unnecessary response to the current First Amended
14 Complaint, and will permit the parties to proceed with the discovery phase of this case.

15 4. Thus, the Parties have stipulated to permit Plaintiff to file a Second Amended
16 Complaint to name the entities as discussed between counsel by December 27, 2019, and for
17 Defendants to respond thereafter to the Second Amended Complaint by January 3, 2020.

18 5. This is the first request to permit Plaintiff to file a Second Amended Complaint,
19 and for Defendants thereafter to file a response to it.

20 6. This request is made in good faith and not for the purpose of delay.
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7. Nothing in this Stipulation, nor the fact of entering to the same, shall be construed as waiving any claim and/or defense held by any party.

Dated this 17th day of December, 2019.

KEMP & KEMP

JACKSON LEWIS P.C.

/s/ Victoria L. Neal
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/s/ Deverie J. Christensen
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Attorneys for Plaintiff

Attorneys for Defendants

ORDER

IT IS SO ORDERED:

Car. Fischer

United States Magistrate Judge

Dated: 12-18-2019